



STIKK

SHOQATA PËR TEKNOLOGJI TË INFORMACIONIT
DHE TË KOMUNIKIMIT TË KOSOVËS

KOSOVO ASSOCIATION OF INFORMATION
AND COMMUNICATION TECHNOLOGY

MINISTRY OF INNOVATION & TECHNOLOGY

The development of the
technology and innovation
sector through the
establishment of the Ministry
of Innovation and Technology

POSITION PAPER

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The establishment of the Ministry of Innovation and Technology will:

- increase efficiency of administration and institutions (reach its full potential of services for citizens and businesses)
- help develop the technology sector, increase employment in this sector, improve administration services, reduce costs, ...
- help innovation and research

INTRODUCTION

The primary mission of STIKK is to advocate for the benefit of the IT sector and its members. STIKK is an industrial association which gathers 120 IT companies, 5 universities which have IT programs, and 3 associations specialized in certain fields of IT. However, so far STIKK has not had a partner within the government where it could have addressed the concerns, opinions, and recommendations regarding the IT sector. Hopefully this document will help clarify the need for the establishment of the Ministry of Technology and Innovation.

STIKK believes that the absence of a Ministry of Technology and Innovation has become an obstacle for the development of the IT sector in Kosovo, and a barrier to the overall development of Kosovo, increase of employment and the alignment with the region and Europe. STIKK believes that only a Ministry of Technology and Innovation, which should be established from the existing IT agencies and departments within Kosovo institutions, may affect in the growth of the IT sector to its true potential which would serve as a potential resource, not only for Kosovo but as well for the region and beyond, in advance of providing a more advanced information technology sector.

ANALYSIS

The innovation and technology sector in Kosovo is regulated by a list of laws that often have coverage and repetition of each other's competencies applied by a number of institutions, which have very little to no coordination at all between them. Of these institutions, there are three main ones in which IT policies and policy making are scattered in Kosovo:

Policies for the telecommunication sector, IT, and lately of the "information society"¹ are drafted by the IT Department within the Ministry of Economic Development;

Policies for technology and technology education, for innovation and for IT research are being done by the Department of Science and Technology within the Ministry of Education, Science and Technology;

Institutional policies, for use of IT within institutions, are compiled by the IT Department within the Ministry of Public Administration, which according to the latest law has been named as the Information Society Agency².

The fact that these departments are not coordinated properly, is shown by the fact that while one IT department makes policies for the "information society", hence, policies that affect the whole society, the other department which is exactly named "... information society", does not make these policies but drafts IT policies only for use within the institutions. Whereas, on the other hand the Ministry of Education Science and Technology (MEST) basically never reached to the letter T-Technology which it holds in its title. The fact that this ministry has a department for technology and three divisions within it: for "science", "technology" and "innovation and technology transfer", can be only understood by the ministry's website³, but cannot be seen in practice. The mission⁴ of this department seems rather vague and pale, in the best case in the function of the letter E of this ministry, that is Education.

Out of these three institutions, the Agency for Information Society carries the greatest significance. This derives from the fact that the agency has the largest budget for IT within government and, given the fact that state institutions are the largest customers of IT in the country, the IT requirements of these institutions determine also the supply that the IT sector

¹National Strategy for Information Society 2006-2012:
http://mzhe.rks-gov.net/repository/docs/Strategjia_Nacionale_per_Shoqeri_te_Informacionit_2006-2012.pdf

²Article No. 04/L-145, For Governmental Information Society:
<http://gzk.rks-gov.net/ActDetail.aspx?ActID=8669>

³Organizational structure - organogram to the ministry of education, science and technology
http://masht-gov.net/advCms/documents/organogrami_shqip_15_11_2013.pdf

⁴Department of Science and Technology, MASHT
<http://masht-gov.net/advCms/#id=36>

should provide, and also determines the profile of students that needs to be produced by the education system with the purpose of serving the sector.

However, this is not sufficient. According to article No. 04/L-145 the newly established Agency for Information Society was not given any additional competencies besides those competencies that the department from which the agency was established already had. Based on this law, the agency did not receive the authority to make nationwide policies for the information society, did not gain authority to examine whether IT projects proposed by other institutions are in accordance with these nationwide policies, did not receive the authority to approve IT projects proposed by government institutions, including the approval of the budget of these projects, and did not coordinate IT policy making thus uniting it under the umbrella of one institution. Law No. 04/L-145, Information Society Government Bodies, with which the IT department within the MPA was upgraded into the Information Society Agency produced only one real effect: that of changing the name of the department.

The idea for the formation of the Government Information Society Initiative was developed by eSEE - an instrument of the Balkan Stability Pact. Kosovo formally became part of this initiative at the ministerial conference in Thessaloniki, in 2005, where the Memorandum and conclusions of the Ministerial Conference on Information Society were signed. Documents on behalf of Kosovo were signed by UNMIK representative, Joachim Rucker. Since Kosovo was the last member to join, and this happened much later than the states in the region, the conclusions encompassed the exact dates for Kosovo to take the necessary action, actions that the other countries in the region had already completed.

The actions that Kosovo agreed to take on, are as follows: approval of the strategy for information society based on guidelines prepared by the working group eSEE - by March 2006, government bodies for information society - by March 2006, adoption of a legal framework for electronic signatures - by March 2006, legal framework for e-Commerce – March 2006, cybercrime law - June 2006, law on telecommunications - 2 to 6 June, and the law on personal data protection - in June 2006.

With the exception of law on telecommunications that was passed in 2003, Kosovo did not manage to complete as foreseen any of the actions agreed. The Law on Information society government bodies was adopted by the Assembly of Kosovo on April 18, 2013.⁵ However, the version of the law that was passed was stripped of from the most important issues to which this

⁵Article No. 04/L-145, For Governmental Information Society:
<http://gzk.rks-gov.net/ActDetail.aspx?ActID=8669>

law was to be adopted in the first place, which were the precise eSEE documents instructions⁶ for this law.

The reason why the law content was changed was the same reason that caused the postponement of the drafting and adoption process of this law: resistance due to restructuring of the existing departments and institutions, regardless of the fact that the restructuring would create a great increase in efficiency. The law ended up creating a new agency, from an existing department, without giving it any new jurisdiction, and without consolidation with other departments, where the majority of the power still remains, whereby according to the new law it should have been consolidated into one body.

Formal reasons for "trimming" of this law - to reduce the role and power of the Information Society Agency, may have been based in the incomplete analysis of costs, e.g claiming that restructuring a new ministry would require new facilities which unfortunately is still the modus operandi of the mentality of how state institutions must function, that you would need to recruit new people for the new ministry, whereby this increase in the number of civil servants would be strongly rejected, including IMF and others.

The real reason must have been the fear of change, and preservation of power and current positions in the structure of institutions. The decision makers were put in a position to choose between the unknown promise of change that would increase the effectiveness of policy and IT services for the public good, and the real risk that the established positions of power within the existing structures would crumble. Therefore, the decision makers chose the status quo. In light of this, the fact that there was no public debate on the bill on the Information Society Bodies was not surprising.

STIKK believes that the Law on Information Society Government Bodies should have been issued much earlier, not only because of the pressure of the signed international agreements, but due to the restructuring and the formation of a Ministry for Technology and Innovation as a necessity for the government and the IT sector. Collection of existing technology departments under one roof will enable to focus the limited capacity within the government into one direction and not in three or more as it is today, consequently this will increase the efficiency and quality of the policy making and ensure that the allocated budget for IT is spent in conformity with strategies approved by all governmental levels.

The creation of a new Ministry of Technology and Innovation seeks neither a new building nor new people to hire. The people are already there, and they are in the buildings. What is lacking is the coordination of their work, their unification as one team, and a mandate and responsibility

⁶ Stability Pact, Terms of Reference Information Society State Bodies
<http://www.stabilitypact.org/e-see/tor%20IS%20State%20Bodies.pdf>

to assist and enable the utilization of the potential of information technology for economic development and for improving the services to citizens.

COMPARATIVE ASPECTS

In order to establish a ministry which will cover the information technology sector and that of innovation it is necessary to review the experiences of countries mainly from the region to see how the sector is coordinated at government level. Considering that the essence of this paper consists in providing the necessary arguments that address the need for the establishment of a ministry that will cover the information technology and the innovation sector, below we will list some of the experiences of the countries in the region. Surely, we will only focus on mentioning the names of these institutions and their role in the information technology and innovation sector.

The Government of Montenegro has established the Ministry of Information Society and Telecommunications. Besides the telecommunications sector this ministry is responsible for policy development and strategic documents related to the information technology sector and also the implementation of these documents.⁷

Bosnia and Herzegovina in 2003 established the Ministry of Communication and Transport. Thus the development of the information technology sector represents one of the main responsibilities of this ministry together with transport.⁸

In Albania the Ministry of Innovation and Public Administration was established. The mission of this ministry consists of drafting and policy coordination in the field of information technology and electronic communications, the geo spatial information infrastructure, postal services, audiovisual media and for reform and modernization of public administration.⁹

In Macedonia there is a Ministry of Information Society and one of the main functions of this ministry consists of policy development and coordination of information society sector. Also, this ministry is responsible for implementing the approved strategic documents related to the information society sector.¹⁰

⁷Ministry of Information Society and Telecommunications

<http://www.mid.gov.me/en/ministry>

⁸Ministry of Transport and Communications

<http://www.fmpik.gov.ba>

⁹The mission of the Ministry for Public Administration and Innovation

<http://www.inovacioni.gov.al/al/ministria/misioni>

¹⁰Ministry of Information Society of Macedonia

<http://www.mio.gov.mk/?q=frontpage>

Policies regarding the information society in the Republic of Serbia are developed and coordinated by the Ministry of Culture and Information.

Hence, this shows that in comparison to countries in the region the Republic of Kosovo does not have a ministry which even by its name would indicate that it is responsible for the development of these sectors. This fact no matter how disturbing, is at the same time a powerful argument which indicates the need for the establishment of the Ministry of Information Technology and Innovation.

RECOMMENDATIONS

Taking into consideration the experiences of the countries in the region and taking into account the goal of developing and strengthening the information technology sector and the innovation one of the Republic of Kosovo, STIKK thinks that:

- Based on the experiences of the countries in the region (listed above), we consider that the first step that should be taken by the new government is to change the Agency of Information Society into the Ministry of Technology and Innovation by a political decision;
- In addition, the Kosovo government should be the one to define the powers of the Ministry of Technology and Innovation as well as the responsibilities of the Minister himself;
- The Ministry of Technology and Innovation should be the only institution which approves and implements concrete policies in the field of information technology and innovation;
- At the time of establishment of the Ministry, the responsibilities which relate to policy making in the sector of information technology (IT Department within the Ministry of Economic Development) and in the field of innovation (Technology Department within the Ministry of Education, Science and Technology) must be allocated to the new ministry; and
- One of the key responsibilities for the Ministry of Technology and Innovation will be the preparation and proposal of the annual budget for the sector of information technology and innovation.
- The Ministry of Technology and Innovation should be responsible for the development and coordination of policies for the promotion and development of the information technology sector and the innovation.
- The Ministry of Technology and Innovation should take concrete measures to facilitate all administrative policies and procedures, fiscal and non-fiscal measures that directly affect

the private sector development of information technology, which will be capable to be competitive not only the region but also beyond.

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